

10/560649

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PATENT

S/N Filed Herewith

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	DIOGUARDI et al.	Examiner:	Unknown
Serial No.:	Filed Herewith	Group Art Unit:	Unknown
Filed:	December 13, 2005	Docket No.:	09728.0334USWO
Title:	METHOD AND APPARATUS FOR ANALYZING BIOLOGICAL TISSUE IMAGES		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495842954 US  
Date of Deposit: December 13, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 

Name: John Junkes

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed March 10, 2004.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

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reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612)332.5300

Dated: December 13, 2005

By: 

Gregory A. Sebald  
Reg. No.: 33,280

GAS/mkc

**23552**

PATENT TRADEMARK OFFICE

Date Mailed: December 13, 2005

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<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 09728.0334USWO	Application Number: Filed Herewith
	Applicant: DIOGUARDI et al.	
	Filing Date: December 13, 2005	Group Art Unit: Unknown

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Hatanaka et al. "Development of an automated method for detecting mammographic masses with a partial loss of region", IEEE TRANSACTIONS ON MEDICAL IMAGING, vol. 20, No. 12, December 2001, pgs. 1209-1214.
		Rogowska "Overview and Fundamentals of Medical Image Segmentation", HANDBOOK OF MEDICAL IMAGING PROCESSING AND ANALYSIS, 2000, pg. 69-85.
		Sahoo et al. "A survey of thresholding techniques", COMPUTER VISION GRAPHICS AND IMAGE PROCESSING, vol. 41, No. 2, February 1988, pgs. 233-260.

**23552**  
PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	